



GOVERNOR OF MISSOURI

JEFFERSON CITY
65102

JEREMIAH W. (JAY) NIXON
GOVERNOR

P.O. Box 720
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June 9, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117 entitled:

AN ACT

To repeal sections 67.1303, 67.1521, 94.900, 140.410, 140.660, 144.032, RSMo, and to enact in lieu thereof eight new sections relating to certain taxes imposed by political subdivisions, with an emergency clause for certain sections.

On June 9, 2011, I approved Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117.

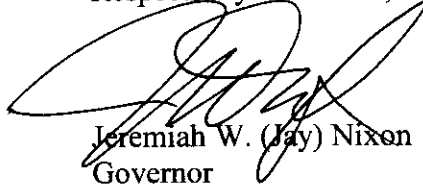
Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117 relates to the taxing authority of political subdivisions. In particular, Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117 allows certain political subdivisions, by resolution, to abolish the property tax and impose a sales tax in its place for the purpose of funding county hospitals and hospital districts. The bill further requires that such a resolution shall only be effective if approved by a majority of the voters in the jurisdiction.

The intent of Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 117 is clear, but the bill is imprecise in its language which may raise ambiguity as to its breadth. Section 205.205, RSMo, clearly applies to hospital districts but it also includes language regarding entities "established under sections 205.160 to 205.379" – statutory provisions which create county hospitals. While inclusion of both of these distinct legal entities in the same provision is not optimal for clarity purposes, the General Assembly's intent to have the provision apply to both hospital districts and county hospitals is confirmed by the fact the provision was narrowly drafted to apply to only two counties; one with a hospital district (Iron County) and one with a county hospital (Madison County).

Application of section 205.205, RSMo, to both hospital districts and county hospitals – within the geographic limitations of the provision – is clear. While more concise language would have been preferred, I approve Conference Committee Substitute for House Committee Substitute

No. 2 for Senate Committee Substitute for Senate Bill No. 117 in order to provide the relevant hospital district and county hospital with an alternative mechanism to support their local health care facilities and maintain access to critical health care services with the approval of the voters.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jay Nixon", is written over the printed name and title.

Jeremiah W. (Jay) Nixon
Governor